

BAR BULLETIN

PUBLISHED BY THE LOS ANGELES BAR ASSOCIATION

MAY 22 1940

LEADING ARTICLES

- Junior Barristers Lecture Course -
- Lawyers, Last Look -
- Digest of Recent Decisions -
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BAR BULLETIN

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MAY, 1940

No. 9

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Junior Barristers, Attention!

THE JUNIOR BARRISTERS' COMMITTEE on Law Lectures is pleased to announce the following summer program of breakfast lectures to be given by leaders of the bar:

June 12. Herbert Freston

The Lawyer and His Client

July 10. Allen Ashburn

The Preparation of a Lawsuit

Aug. 14. Hubert T. Morrow

The Trial of a Lawsuit

Sept. 11. Hon. Kurtz Kauffman

After Judgment, What?

Oct. 9. Hon. Louis W. Myers

Appellate Procedure

Each lecture will be held following breakfast in the main dining room of the Rosslyn Hotel. Each breakfast will begin at 7:30 A. M. and each lecture will commence at 8:00 A. M. No charge will be made other than for breakfast, which will cost fifty cents. Each speaker will point out the pitfalls and will give valuable suggestions. The Junior Barristers are honored to have these men take the time and trouble to speak to us from their experience. Every Junior Barrister will benefit by attending these lectures.

JUNIOR BARRISTERS' COMMITTEE
ON LAW LECTURES,

WHITNEY HARRIS, *Chairman.*

LAWYERS, LAST LOOK!

By Whitney Harris, of the Los Angeles Bar

IN the February issue of the BAR BULLETIN, under an article entitled "Lawyers, Look Out!", Superior and Municipal Court civil filings in Los Angeles County were analyzed for the purpose of ascertaining trends in filings during the past decade.

It was found and reported that, although criminal, domestic relations, and probate and guardianship filings increased at about the same rate as the increase in the number of lawyers, there was, during the decade, an actual quantitative decline in all ordinary civil filings and particularly in substantial civil filings of \$2,000 or over, and a decline of nearly 50% in the number of all ordinary civil filings per lawyer in the ten year period.

It has since been suggested that, due to the debtor-creditor readjustments which occurred at the beginning of the depression, the decline over the decade may have been as much the result of an *increase* in filings at the commencement as of a *decrease* in filings at the end.

In a recent study made of filings in Chicago,¹ a slight increase in filings per lawyer during the years 1930, '31 and '32 was noted. Thereafter, as in Los Angeles, there was a steady decline in the number of cases filed per lawyer to 1939, at which time there were approximately half as many cases filed per lawyer in Chicago as in 1932.

TABLE I
Record of Ordinary Civil Filings in Los Angeles County
State Trial Courts
(Excluding cases involving \$1,000 or less)

Fiscal Years July 1 to June 30	Superior Court Filings Over \$1000	Municipal Court Filings Over \$1000	Total Superior and Municipal Court Filings Over \$1000	Number of Lawyers	Total Superior and Municipal Court Filings Over \$1000 Per Lawyer
1926-27	27,343	.....	27,343	4,019**	6.80
1927-28	27,982	.....	27,982	4,269**	6.55
1928-29	26,654	.....	26,654	4,519**	5.89
1929-30	22,919	3,758	26,677	4,769	5.59
1930-31	17,679	5,932	23,611	5,107	4.62
1931-32	18,184	5,153	23,337	5,259	4.43
1932-33	15,869*	4,384	20,253	5,463	3.71
1933-34	15,557*	3,912	19,469	5,505	3.54
1934-35	13,227*	3,479	16,706	5,608	2.99
1935-36	13,080*	3,532	16,612	5,708	2.91
1936-37	13,452*	3,452	16,904	5,820	2.90
1937-38	11,906*	3,658	15,564	5,918	2.63
1938-39	12,281*	3,519	15,800	6,016	2.62

¹American Bar Journal, May, 1940, pages 414-5.

*Include civil appeals.

**Estimated.

In order to ascertain whether a like condition existed in Los Angeles County in the first part of the last decade, I have gone as far back in the reports of the Judicial Counsel as figures are available. Table I presents an analysis of all ordinary civil filings in Los Angeles County, except cases involving \$1,000 or less, from the fiscal year 1926-27 to the fiscal year 1938-39.

The thirteen year period covered by this table includes the best years of the boom and the worst years of the depression. The figures show that there has been a constant decline in the number of civil cases over \$1,000 filed per lawyer in the County of Los Angeles every year from 1926-1927 to date. The decline has been from approximately 6.80 such civil cases filed per lawyer in 1926-27 to approximately 2.62 such cases filed per lawyer in 1938-39, a decrease of filings per lawyer of over 60% in the short span of thirteen years. It thus appears that debilitation in the matter of ordinary civil filings commenced even prior to the depression.

It was also suggested that the decline of civil filings in the State Courts might be compensated for by a large increase in litigation in the Federal Courts due to the expansion of federal regulation and jurisdiction during the past seven years. Table II presents the analysis of District Court filings in the Southern District of California since the fiscal years 1926-27.

TABLE II
Report of Civil Filings in the United States District
Court, Southern District of California

Fiscal Years July 1 to June 30	All Other Civil Filings				Total of all Filings
	Bankruptcy Filings	United States Government Filings	Private Filings	Total Government and Private Filings	
1926-27	1,589	235	414	649	2,235
1927-28	1,945	340	420	760	2,705
1928-29	1,938	325	409	734	2,717
1929-30	2,056	333	428	761	2,817
1930-31	2,357	625	608	1,233	3,590
1931-32	2,449	795	696	1,491	3,940
1932-33	2,408	583	691	1,274	3,682
1933-34	2,624	175	605	780	3,404
1934-35	3,399	94	267	361	3,760
1935-36	2,499	245	532	777	3,276
1936-37	2,393	234	466	700	3,093
1937-38	2,545	249	427	676	3,221
1938-39	2,658	304	400	704	3,362

This table includes all filings in the Southern District of California. It is estimated that approximately 80% of these cases originate in Los Angeles County. If this estimate is correct, in the fiscal year 1938-39 there were, excluding bankruptcy cases, only approximately 563 government and private cases filed in the Federal courts in Los Angeles County. Although many of these cases involve several parties and lawyers, it is apparent that, numerically at least, Federal court litigation is not of considerable importance to the ordinary civil law practitioner in Los Angeles County.

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We must, of course, avoid drawing too much from these figures. In the April BAR BULLETIN, Mr. Max Zimmerman pointed out that in spite of the decline in the number of ordinary civil filings, the gradual increase in the quantity of domestic relations, criminal, juvenile and psychopathic filings has resulted in an actual quantitative decline of only about 7,000 cases since 1927-28, most of which could be accounted for in the falling off of suits to foreclose mechanic liens, street improvement liens, and promissory notes. He also pointed out that our Superior Court has all the business that it can attend to today, being able at last to function without the use of Judges from other counties or from the Municipal Court. Mr. Zimmerman has shown that the plight of the lawyers has brought no rest to the courts.

And we must also observe the warning of Hon. Lewis W. Myers that we should not in any event assume too close a correlation between legal services rendered, what an alert Bar may render, and the mere number of ordinary civil court filings. For, as he says, "that lawyer best serves his clients who succeeds best in keeping them out of court, without substantial sacrifice of their rights or legitimate interests". Nevertheless, the progressive anemia of civil litigation in the fact of an ever-increasing bar birth rate during the past several years certainly warrants, as Judge Myers says, "doing something about it."

Much is already being done to meet the problem. The Placement Bureau recently instituted by the Junior Barristers of our Association is endeavoring to obtain employment for young lawyers not merely in law offices, but also in allied fields, and it is to be hoped and expected that its work may relieve somewhat the annual over-replenishment to the legal basin. The State Bar also continues to improve the standards for admission to the bar, thereby eliminating a large number of men who probably would not be able to withstand the competition of the profession.

Unfortunately these efforts become effective only after men have graduated from law school. It might be well for younger lawyers to interview students before they enter law school, not only for the purpose of acquainting them with the type of work which lawyers do, but also for the purpose of informing them of some of the difficulties they are bound to experience after admission into the bar by reason of our present overcrowded condition. Many young men, particularly those whose enthusiasm surpasses their scholarship, may thereby avoid a loss of time expended in acquiring a legal education, and at the same time the annual flood waters of new admittees may be retarded somewhat at their source.

The organized bar associations are also undertaking splendid work in the effort to improve the practice of lawyers generally. The work of the American Bar Association in the field of administrative law is known to every lawyer. Our own State Bar Committee on Administrative Agencies and Tribunals is at present engaged in a herculean fact-finding task prerequisite to future action.

The Junior Barristers of our own Association and the Junior Bar Conference of the American Bar Association are seeking to stimulate the prestige and practice of the profession by improving the confidence of the public in lawyers and by improving the knowledge of the public as to the work of lawyers. Thus a real effort is being made to eliminate unjust representations of lawyers on the screen and elsewhere.² And the juvenile crime prevention program and legal

²Those of you who see the picture "Magic Bullets" will note the trial scene where the good Dr. Ehrlich casts aside his counsel because he desires to speak "only the truth". The implication that lawyers are not concerned with truth is too obvious. It is a part of the fantastic mental caricature of lawyers created in the mind of the public by cinematic misrepresentations. The public must be taught that the work of lawyers is to ferret out the truth, not to prevent the truth from coming to light.

aid services rendered by lawyers without cost to the public most certainly merit the fine praise received from people *who know of them*. And the radio program of our Association has been striving to *let the public know* of these services rendered by lawyers in our own community as well as of the great contributions of lawyers to society in the past.

In short, the Los Angeles, State and American Bar Associations are "doing something" about the predicament of the profession. *The extent to which they are successful depends upon the extent to which all lawyers contribute of their energy to the undertakings.* There is work for everyone and particularly for every young lawyer who has pride in his profession and faith in its future.

Apparently you are to be under attack by experts and it behooves you to begin to plan your defense. In this case your defense will not be before the Bar of Justice at which you are accustomed to practice skillfully and effectively, but it is to be before the Bar of Public Opinion, which can be easily inflamed and prejudiced against you. It is time that every Bar Association should have a committee on Public Relations, a committee which can use simple laymen's language in the interpretation of your profession to laymen.—(Dr. Arnaud C. Marts, President Bucknell Univ., before New Jersey State Bar Association.)

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DIGEST OF RECENT DECISIONS

By Sidney H. Wall, of the Los Angeles Bar

ATTACHMENTS: Attaching creditor is not *bona fide* purchaser, and takes property subject to lien of trust deed unrecorded at time of attachment. *Boye v. Boemer*, 101 C. A. D. 358.

BANKRUPTCY: A California irrigation district is authorized to file a petition under Chapter IX of the U. S. Bankruptcy Act, and the California legislative permission therefor is constitutional. *Peoples State Bank v. Imperial Irrigation Dist.*, 99 C. D. 317.

CONSTITUTIONAL LAW: California Milk Stabilization Act held constitutional. *Ray v. Parker*, 99 C. D. 240.

CORPORATIONS: Under Delaware statutes permitting merger of corporations, a corporation may merge with its wholly-owned subsidiary, and dividends accumulated on preference stock of constituent corporation may be extinguished if merger proposal is fair and equitable, since unpaid dividends are not a "debt" of the corporation. *Federal United Corp. v. Havender*, 11 Atl. (2d) 331 (Del.).

CORPORATIONS—OFFICERS: Under New Jersey statute providing that corporate officers shall be liable for loans made to stockholders, right of action rests not only in creditors but also in corporation for benefit of its creditors, and in corporation's trustee in bankruptcy. *Cole v. Brandle*, 11 Atl. (2d) 255 (N. J.).

CORPORATIONS—STOCK: California Corporate Securities Act applies to sale of stock of foreign corporation in California; estate of deceased director is responsible for sale of stock without permit where decedent was director when sales were made. *Auslen v. Thompson*, 101 C. A. D. 81.

COURTS—FEDERAL: Order extending time to file record on appeal which was made after expiration of 40 days from date of notice of appeal was invalid. *Mutual Benefit H. & A. Ass'n v. Snyder*, 109 F. (2d) 469 (C. C. A. 6th).

COURTS—JURISDICTION: Writ of prohibition lies to restrain superior court from proceeding with trial of action to impress trust on property of estate until all parties defendant with beneficial interest in estate were served and before the court. *Bank of California v. Superior Court*, 101 C. A. D. 112.

DIVORCE: Where decedent would have been estopped to attack foreign divorce decree on grounds of simulated residence by reason of his participation in such divorce, the estoppel applies also against his heirs. *Estate of Davis*, 101 C. A. D. 370.

INTERNAL REVENUE: Federal tax lien attaches to taxpayer's bank deposit and takes priority over previous attachment by creditor who has not obtained judgment. *MacKenzie v. United States*, 109 F. (2d) 540 (C. C. A. 9th).

LIMITATION OF ACTIONS: In case of resulting trust, statute of limitations does not commence to run until there has been a repudiation by the trustee. *Padilla v. Padilla*, 101 C. A. D. 165.

PROBATE LAW: Petition for probate of will is action *in rem* and not subject to dismissal by petitioner as is an ordinary action. *Estate of Raymond*, 101 C. A. D. 159.

UNEMPLOYMENT INSURANCE: Union members who voluntarily refuse to pass a picket line are not entitled to unemployment insurance benefits. *Bodinson Mfg. Co. v. California Employment Commission*, 101 C. A. D. 170.

TRUSTS: In action for declaratory relief under a trust involving real property, trustee was authorized to execute oil and gas lease free from trust provision that any lease should be made subject to sale of the property. *Adams v. Cook*, 99 C. D. 290.

THIS IS WHAT THE JUNIORS ARE DOING

Law Offices
CHRISTY J. NELSON
920 South Ford Blvd.
East Los Angeles, Cal.

April 18, 1940.

Mr. Francis J. McEntee, Esq.,
Attorney at Law,
526 Bank of America Building,
Los Angeles, California.

Dear Mr. McEntee:

Yesterday noon, Wednesday, the East Los Angeles Kiwanis Club had the pleasure of listening to an address by Mr. Roger Alton Pfaff, who is a member of your committee in the Los Angeles Bar Association.

In addition to taking up the question of Youth Delinquency Mr. Pfaff performed another worthy deed in that he took up the defense of the lawyer class in general, and which, no doubt, as you are aware of, probably no profession or class suffers from derogatory remarks as to the character and integrity as lawyers do, hence this letter of commendation for Mr. Pfaff's presentation yesterday, and I wish that more attorneys in addressing organizations would take sufficient time out, not only to defend, but to explain the duties of the lawyer class, and thus enlighten public opinion.

Congratulating you for such a splendid man on your committee, I beg to remain,

Yours very truly,

CHRISTY J. NELSON.

LOS ANGELES CITY HIGH SCHOOL DISTRICT—
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April 19, 1940.

Mr. Francis J. McEntee,
526 Bank of America Bldg.,
Los Angeles, California.

Dear Sir:

Just a word to express our appreciation for the service rendered boys and girls through the Bar Association Speaker's Group. This movement should prove highly beneficial to the well-being of the community and the Bar is to be congratulated on sponsoring such a laudable activity.

On April 8th a member of your group and an alumnus of Venice High School, Mr. Perry Bertram, spoke before the student body of this school on the subject of juvenile delinquency and societies' efforts in relation thereto. Mr. Bertram made a very good impression on the students and succeeded in holding their attention throughout the entire assembly period. If you are acquainted with adolescents you will agree that this is no small feat.

Please accept our thanks for sending Mr. Bertram to us and be assured that Venice High School plans to take advantage of your service, if offered, again next year.

Very truly yours,

REP:HT
c.c. Mr. Perry Bertram.

RAYMOND E. POLLICH,
Principal.

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April 25, 1940.

Mr. Francis McEntee,
650 So. Spring St.,
Los Angeles, Calif.

Dear Mr. McEntee:

The members of the Beverly Hills Junior Girls' Auxiliary of B'nai B'rith wish to thank Mr. Perry Bertram for giving such an interesting and educational speech at their meeting April 18, and also to express their appreciation to all the people who made it possible. We have seldom had such a pleasant evening and hope that we may have the pleasure again soon.

Sincerely yours,

ELEANOR GOODMAN,
Corresponding Sec'y.

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LAW LIBRARY NOTES

By Thomas S. Dabagh, Librarian

DUES ABOLISHED. After July 1 the privilege of borrowing books will be available to members of the bar of Los Angeles County without payment of the three dollar annual dues heretofore charged, under new borrowing rules adopted by the Board of Law Library Trustees.

The new rules provide for a three dollar deposit, returnable on demand, as nominal security for the payment or fines, and of charges for loss of or damage to books. A fine of ten cents a day will be levied on overdue books to encourage their prompt return, so that the expected increase in the number of books in circulation may not hamper research.

DICTATING MACHINE. For a period of two months the Library will have available a demonstration dictating machine for the use of patrons. If the machine is given substantial use, it will be made a permanent feature of Law Library service. Members of the bar are invited to bring their own cylinders to the Library, where they may conveniently take quotations and notes from the books for transcription in their offices. There will be no charge for use of the machine.

NEW TEXT GROUPS. In connection with the rearrangement of certain parts of the book collection, current texts on Probate and Estates, Bankruptcy, and Federal Practice, and Form Books, have been constituted as separate groups, and are no longer in the general collection of texts, as a further convenience to patrons. When a complete classification and notation scheme has been adopted, other groups will probably be established.

Incidentally, it is hoped that the rearrangement now being completed will serve expansion needs until new quarters are built, so that further change (except in minor details) will not be required.

★★★ WHO'S WHO AT CALIFORNIA TRUST COMPANY



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J.C. SEAMAN

Assistant Trust Officer, was born in London, England; received his schooling in London and in Detroit, taking a B.C.S. degree at Detroit University; served five years with the Canadian Army in Europe; had three years experience with public accountancy firm followed by four years with the Security Trust Company in Detroit; came to California Trust Company in 1927 and was elevated to the position of Assistant Trust Officer in 1929

NEW BOOKS

Among recent acquisitions of the Law Library the following appear to merit special mention:

ANTI-TRUST ACT. Hadlick's Criminal Prosecutions Under the Sherman Anti-Trust Act is an historical review of the subject.

BANKRUPTCY. A compact presentation of the law of Bankruptcy and Reorganization is offered by Selverstone.

BIOGRAPHY. The Diary of Dudley Ryder, edited by Matthews, presents an interesting picture of the life and reactions of a student at the Middle Temple in the years 1715 and 1716; "a great Victorian" advocate's life is recounted by Walker-Smith, in The Life of Sir Edward Clarke; and a great American jurist's personality and character are described by Hellman, in his book on Cardozo.

ENGINEERING LAW. Sadler's Legal Aspects of Engineering is a case book intended to give a general understanding of legal principles and their application to engineering activities.

FEDERAL REGULATIONS. Volumes of the new Code of Federal Regulations, issued by the Government, are beginning to be received. Each volume contains several titles, and the completed code will be a companion set to the U. S. Code of Laws.

FORMS. Gordon's Modern Annotated Forms of Agreement is a one volume collection of a wide variety of such forms, with considerable citation to cases.

FRAUD. A comprehensive treatment of the subjects Fraudulent Conveyances and Preferences is offered in a new two volume work of that title by Glenn.

PROBATE. Estate Accounting, by Saxe, discusses legal problems and presents illustrative material on this important phase of the law relating to the estates of decedents, while Horner's Probate Practice and Estates, 4th edition, is intended to be an exhaustive treatment of probate law for the use of Illinois lawyers.

TAXATION. Mahany's Commerce Clause Tax Problems discusses property, sales, corporation franchise, and other taxes, as they are controlled by the commerce clause.

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THE DISPOSITION OF REAL PROPERTY IN DIVORCE ACTIONS

*By A. M. Cross, of the Los Angeles Bar

DIVORCE litigants and their counsel often become so absorbed in the fierce personal discord existing between spouses that they fail to give careful attention to the pleadings and decrees in divorce actions, disposing of the community and homestead interests of the parties. In the hot personal controversies, the cold but all important statutory requirements pertaining to their real property become lost in the shuffle.

The court has jurisdiction, in a divorce action, to dispose only of the community property of the spouses and of any homestead declared by them, or either of them, on real property. (Sec. 146 C. C.) There is no jurisdiction directly to divide or dispose of the *separate* property of either spouse, but in the situation where one spouse alleges property to be community, and the other alleges it to be his or her separate property, the court may determine the issue thus presented; and if it is adjudged to be separate property may award it to the party so claiming it. (*Allen v. Allen*, 159 Cal. 197).

And a lien may be adjudged in favor of one party upon the separate property of the other, to secure the payment of alimony, attorney's fees, costs, etc., adjudged to be paid by the party upon whose separate property the lien is imposed. (Sec. 140, 141 C. C.)

*Chief Counsel National Title Insurance Company.

THE entire personnel of the Trust Department of Bank of America is dedicated to one purpose only, the care and management of estates and trusts. More and more attorneys throughout California, aware that trust business is the business of administering estates and trusts, advise their clients to name Bank of America National Trust and Savings Association executor and trustee.

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It is not obligatory upon the parties to litigate their property interests in the divorce action. They may submit all, a part of, or none of the community and homestead rights for decision in the divorce action; and any rights not so submitted are reserved to be adjudicated in any other appropriate action or actions. (*Brown v. Brown*, 170 Cal. 1; *Abbott v. Sup. Ct.*, 69 Cal. App. 660; *Lang v. Lang*, 182 Cal. 765, 769.)

As to such property rights as are included in the divorce action, the record title should be ascertained and alleged, with accurate descriptions of all property claimed to be community, and the homestead should be set forth. The complaint should pray for the assignment in severalty, or other division, or sale, of the community property and for the temporary or permanent disposition of the homestead, all as provided for in Secs. 146 and 147 Civil Code; and the interlocutory decree should completely dispose of the community and homestead interests thus set forth. If the complaint makes such allegations, and the parties leave the divorce record incomplete by failing to have the decree follow through with an adjudication as to the character of the property and the disposition thereof, many complications may arise, a few of which are noted below, and the dropped stitch may spoil the knitting.

Where the complaint alleges, and the interlocutory decree finds there is no community property, such decree is not an adjudication as to property acquired by the husband after the interlocutory and before the final decree, and such property acquired by him between decrees is community property. (*Brown v. Brown*, 170 Cal. 1.) A husband who has so acquired property between decrees wakes up later to the painful fact that such property is community property, and that he must negotiate with his ex-wife, perhaps unwilling and hostile, for her signature to a deed or encumbrance covering the property.

Where the cause of divorce is other than adultery or extreme cruelty, the community property must be divided equally between the spouses; and where the ground of divorce is adultery or cruelty, the court may determine the share of each spouse, and may allot more than one-half, or the whole, of the community property, to the innocent party. (Sec. 146 C. C.) If the court adjudges the property to be community, but does not by the decree make the assignment or disposition, the spouses become *tenants in common*, with equal shares, if the divorce ground is other than adultery or cruelty (*Brown v. Brown*, *supra*); and if the ground of divorce is adultery or cruelty, without allotment, their shares in the property will be left to be determined in an independent action. Divorced parties often find, after supposing their property interests were disposed of in the action, that they merely became tenants in common; and that the death of one spouse makes necessary a probate proceeding, to pass title to the interest of the deceased spouse as tenant in common.

Where husband and wife are joint tenants *of record* their interests are *separate* property interests; but the spouses may by agreement transmute such separate joint interest into community property. (*Siberell v. Siberell*, 214 Cal. 767, 770.) If the complaint in a divorce action alleges such property to be com-

munity property, and the community character of the property is not completely worked out and disposed of in the decrees, the only net result is that the joint tenancy title is clouded by the undisposed of assertion that the property is community property, a claim for which might be asserted in an independent action.

Another situation is where property is homestead property, but the complaint alleges nothing about the homestead, and the decrees are silent about it. While a *final* decree of divorce will destroy the homestead, if there are no minor children, the homestead may continue if there are minor children. (*Lang v. Lang*, 182 Cal. 765.) Divorced spouses, who have minor children, may find themselves in error in thinking that the homestead is destroyed by the divorce; and the spouse who owns the record title, subject to the homestead, will be compelled to seek the signature of the other former spouse, either to abandon the homestead or to join in executing a deed or encumbrance thereon.

Divorce actions are of tremendous, continuous volume, and thousands of parcels of real property every year are affected by such actions. It is important that good title, rather than clouded and imperfect title, be the result in such actions.



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ACTIVITIES OF JUNIOR BARRISTERS

By Hudson B. Cox, of Los Angeles Bar

WHILE news from sources other than the European capitals and Washington has claimed but scant attention these last weeks, in its own limited sphere the younger Bar has made news of interest, at least to its members, during the past month (April 15th to May 15th). Most noteworthy perhaps is the announcement, emanating from Whitney Harris' Committee on Law Lectures, that the Junior Bar is to be treated to a resumption of the popular breakfast-time talks given by leading members of the Bar Association. The Committee has secured the services of such outstanding lawyers as Mr. Freston, Mr. Ashburn, Judge Myers, Mr. Morrow and Mr. Kaufman, who, in a series of monthly breakfast meetings throughout the Summer, will not so much lecture as give the younger members of the Bar the benefits of their wide experience in the trial and conduct of a lawsuit from the time a client first steps into the office until the judgment is satisfied. The initial meeting, at which Mr. Freston is to speak, is scheduled for June 12th.

In a lighter vein, but scarcely of less importance to Junior Barristers, is the announcement by John Eley's Spring Frolic Committee that this classic annual event is set for Friday, June 7th. Once more the Brentwood Country Club is to be the scene of festivity and from all reports the Committee this year has striven hard to insure that the current Spring Frolic will surpass all its predecessors in a money-back guarantee of enjoyment and entertainment.

Those, and it seemed as though they were only a few, who didn't attend the stag party at Maier's Brewery last April 19th missed one of the most successful informal parties the Junior Barristers have had. There were 114 paid admissions and the best dollar's worth of food, entertainment and Maier's "light" and "dark" that the city could offer. Bill Lane's Committee which managed the affair is planning similar parties for the future after the competition of the Spring Frolic has passed into limbo.

The several sections of the Employment and Placement Bureau have been carrying on their good work. Jay Stein's section for Solicitation of Employment Opportunities in Governmental Agencies has got under way with an exhaustive analysis of employment possibilities for lawyers in Federal, State and City agencies, the various members of the Committee being delegated the task of interviewing responsible persons in the many governmental departments with a view to canvassing the requirements and the opportunities they offer the young lawyer. Stanley Jewell's section, investigating employment opportunities in banks, insurance and title companies, has received to date some 100 replies to the questionnaires they sent out to the insurance companies and agencies doing business in the locality and is now engaged in correlating the material for the benefit of the Bureau.

The Legal Aid Committee which has been under the immediate supervision of Gizella Loshoncy and Kenneth Rhodes during the last month has supplied the volunteer services of twelve attorneys to assist in the worthwhile work of the Foundation, and with the end of the current school year at U. S. C., the younger members of the Bar will be called upon to lend additional support to this, their own particular charity.

Francis McEntee, chairman of the Public Information Program, reports that Perry Bertram spoke before a large group at the B'nai B'rith Community Center on April 18th last, and Roger Pfaff on the same day addressed the East Los Angeles Kiwanis Club. Three additional speaking engagements before high school groups are slated for the latter part of the month.

The Radio Committee added three more chapters to its "Lawyers' Story Book" program over Station KFAC. Francis Finucane gave an interesting story of a local will contest case which he entitled "Miss Wealthy's Will". Roger Pfaff, adhering to the probate theme, told of another unique will contest fought out in the Los Angeles Courts, titling his talk "A Bachelor's Beneficiaries". On May 13th Everett Laybourne presented a celebrated Civil War case "The Court Martial of General Fitzjohn Porter". During the month the time of these radio programs was changed from the customary Saturday night to Mondays from 7:00 to 7:15 P. M.

Charged with the duty of informing high school students of the possibilities offered by and the problems to be faced in the choice of law as a career, Dick Forster's Educational Information Committee supplied speakers to two groups of interested students at the Los Angeles High School and Washington High School on April 30th. In addition, A. R. Kimbrough addressed a group of vocational guidance instructors on May 9th explaining the work of the Committee and its qualifications to interview and guide students wishing to canvass the possibilities offered by the profession today.

Proof of the successful functioning of the Junior Barristers Organization, if silence connotes assent, is perhaps best found in the fact that when Stanley Jewell's Committee on Suggestions held a luncheon meeting on May 13th, at which all members were invited to attend and make known their criticisms or suggestions for changes in the activities and program of the Junior Barristers, only two proposals were volunteered: that we resume the law lectures (which had already been undertaken) and that we have more informal parties such as that of April 19th, which won unanimous approval!

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Los Angeles Bar Association

- **FINAL SPRING MEETING** Thursday, May 23, 1940
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Dr. Syud Hossain

currently Professor of Oriental Civilization and Special Lecturer on World Affairs at the University of Southern California will address the members on

"The War Crisis and America"

Can America remain neutral? Stirring events of the past few days have prompted many thinking people to echo this often repeated question. Dr. Hossain's views will interest you.

Dr. Hossain recently returned from a world tour, during which he gave special study to the international situation in the Near East and Far East.

Dr. Hossain represented India at the Paris Peace Conference in 1920 for the Near East Peace Settlement, and is the author of the recent book, "Gandhi: The Saint as Statesman."

The Foreign Policy Association of New York was recently addressed by Dr. Hossain, and James G. McDonald, the President of that Association, has said, "Of the hundreds of speakers who have addressed our conferences during the past five years, none was more brilliant or authoritative than Dr. Hossain."

We confidently expect an overflow meeting and hence urge you to return your reservation card promptly for this, our last monthly dinner meeting until October.

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LOS ANGELES BAR ASSOCIATION

LEGAL ETHICS

President Herbert Freston requests THE BULLETIN to inform members of the Bar, both members and non-members of the Los Angeles Bar Association, that the Legal Ethics Committee is ready at all times to receive and carefully consider questions of ethics that may arise and upon which the attorney may desire an opinion. The Committee invites written interrogatories, hypothetical in form, which may be addressed to the Chairman, William L. Murphey, 835 Rowan Building, Los Angeles, or Secretary, Edwin W. Taylor, 1241 Citizens National Bank Building, Los Angeles. All communications will receive prompt attention as meetings of the Committee are scheduled for each Tuesday noon for consideration of questions submitted for opinion. No names need be used in questions submitted.

It is believed that a real service can be rendered members of the Bar in this county by the Committee, which is composed of lawyers of experience and standing, and it is hoped many will avail themselves of this service.

THE ROLE OF THE LEGAL AID BUREAU

By Edward D. McDougal, Jr.

Chairman of the Legal Aid Committee of the United Charities

A SHABBY little old lady wandered into the headquarters of the Legal Aid Bureau of the United Charities the other day asking for a lawyer. "There's a fee of twenty-five cents," the receptionist told her. "Twenty-five cents!" gasped the lady. "Why if I had a quarter I wouldn't come here—I would go to a REAL lawyer."

The Legal Aid Bureau never did discover what lawyer the lady could get for a quarter because the fee was waived, as it is in all cases where prospective clients have no money. And conversely, when they are found to be financially able to employ counsel, the Bureau must turn them away. This no doubt has seemed unfair to some applicants in the borderline economic group. But fortunately such persons can now be directed to the Chicago Bar Association where through the Lawyer Reference Plan they may obtain the name of a lawyer who will give them a preliminary consultation at a low fixed fee.

When they are aware of the steady stream of clients (almost 20,000 a year) who are served by the Bureau, some lawyers may wonder whether part of that business shouldn't be sent to private practitioners.

There are perhaps two reasons for this thought: first, few of us stop to realize that there actually are almost a half million people on relief in Chicago; and second, it's hard to see how poor people could have so many problems of a legal nature.

Social workers themselves have been amazed at this latter fact. When the National Association of Legal Aid Organizations was being established in 1923, Joel D. Hunter, general superintendent of the United Charities of Chicago, sent a questionnaire to all of the leading welfare agencies in the country asking if they believed their clients needed legal service. Only eight agencies replied in the affirmative.

Investigation showed, however, that such agencies were helping many people who, with the services of a lawyer, could have incomes of their own.

Wives and children of men who were permanently incapacitated were receiving charity because neither they nor their social worker understood the legal procedure for getting disability awards on insurance.

Injured workmen were on relief for lack of a lawyer's help in getting compensation benefits.

Widows and orphans, with pitifully small inheritances, had them wiped away by guardianship, trustee and other fees and had to become public charges.

Believing that it was not only cheaper but also better to give these people legal help rather than relief, Mr. Hunter began to promote among social workers a better understanding of the law. Today 34 schools of social work have courses on law, not taught with the aim of turning social workers into attorneys, but simply to show them how to recognize a legal problem when they see it.

Last year, the 44 Legal Aid Bureaus who are members of the National Association of Legal Aid Organizations, served 276,000 needy clients.

Not only did such legal aid keep many people off relief, it also provided jobs for the lawyers employed by the legal aid organizations, the cost of their services being borne by the public through gifts to Community Funds and other charitable subscriptions. How much money the concentration of free cases in one central bureau saves all lawyers, by freeing them of time consuming, profitless cases, has of course never been estimated.

From the humanitarian standpoint, however, the greatest advantage of the centralized legal aid bureau is that it helps to fulfill the promise of democracy to make equal justice available to all. Poverty need not bar anyone from getting legal advice and service.—(*From Chicago Bar Record.*)

Applications for employment as associate lawyers, law clerks, secretaries and stenographers are always on file at the office of the Association. Members are urged to make use of this service. They may do so by examining the applications on file or by advising the office of their needs. Telephone TUCKER 8118.

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